

REMARKS

Entry of Amendment

As Applicants are filing a RCE herewith, this amendment should be entered and considered by the Examiner at this time.

Applicants will address each of the rejections in the order in which they appear in the Final Rejection.

Claim Rejections – 35 USC §112

In the Final Rejection, the Examiner rejects Claims 1-3 and 7-10 under 35 USC §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

In the rejection, the Examiner contends that the recitation in the claims of “the layer configured ... is odd multiples of quarter wavelength ...” is indefinite as Examiner alleges that the exact “wavelength” is indefinite. More specifically, the Examiner asks “a quarter wavelength of what?” Applicants respectfully disagree with the Examiner’s contention.

However, while Applicants disagree and traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1-3 to recite “... quarter wavelength of emission color from the one of the plurality of light emitting layers ...”. This feature is supported by, for example, paragraph [0013] in the publication of the present application (US 2007/0176161). Therefore, it is respectfully submitted that this objection has been overcome.

In addition, in the rejection, the Examiner contends that the recitation of “the layer configured” is also indefinite as many “layers” are previously claimed and it is unclear which “layer” is intended.

In response, in order to advance the prosecution of this application, Applicants are amending Claims 1-3 to recite “a mixed layer comprising an organic compound and a metal oxide” and “the mixed layer comprising the organic compound and the metal oxide configured ...” This amendment is supported by, for example, paragraphs [0013] and [0083] of the publication of the present application (US 2007/0176161). Therefore, it is respectfully submitted that this objection has been overcome.

Accordingly, Claims 1-3 and 7-10 are not indefinite, and it is respectfully requested that this rejection be withdrawn.

Claim Rejections – 35 USC §102/1033

The Examiner also rejects Claims 1-3 and 7-10 under 35 USC §102(b) as anticipated by or, in the alternative, under 35 USC §103(a) as obvious over Kido et al. (US 2003/0189401). This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1-3 to recite the feature of “a mixed layer comprising an organic compound and a metal oxide”. As explained above, this feature is supported by, for example, paragraph [0083] of the publication of the present application (US 2007/0176161).

In contrast, while Kido may teach a layer comprising a bathocuproine and a metal cesium as an electron injection layer, Kido does not teach or suggest a mixed layer comprising an organic compound and a metal oxide nor that a mixed layer comprising an organic compound and a metal oxide that is configured to control the optical distance between a first electrode and one of the plurality of light emitting layers.

Therefore, independent Claims 1-3 are not disclosed or suggested by Kido, and Claims 1-3 and those claims dependent thereon are patentable over Kido. Accordingly, it is respectfully requested that this rejection be withdrawn.

Amendments To Claims

In addition to the amendments discussed above, Applicants are also amending independent Claims 1-3 to recite the feature of “optical distance”. This feature is supported by, for example, paragraph [0010] of the publication of the present application (US 2007/0176161). Hence, no new matter is being added.

Therefore, it is respectfully requested that this amendment be entered and allowed.

New Claims

Applicants are also adding new Claims 11-16.

New Claims 11-13 recite the feature of “the first electrode is a reflective electrode.” This feature is supported by, for example, paragraph [0043] of the publication of the present application (US 2007/0176161). New Claims 14-16 recite the feature of “the one of the plurality of light emitting layers and the mixed layer comprising the organic compound and the metal oxide are in contact with each other.” This feature is support by, for example, Fig. 1 in the present application.

As these are dependent claims, they are allowable for at least the reasons discussed above for the independent claims. Accordingly, as a RCE is being filed herewith, it is respectfully requested that these new claims be entered and allowed.

If any fee should be due for these new claims, please charge our deposit account 23/0920.

Information Disclosure Statement

Applicants submitted an information disclosure statement (IDS) on March 4, 2010. As a RCE is being filed herewith, it is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the new claims, the extension of time, and/or the RCE, please charge our deposit account 23-0920.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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